

Title 122 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 29 - PERMIT TRANSFER

001 In the case of Class I and III injection and mineral production wells, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, to identify the new permittee and incorporate such other requirements as the Director determines necessary. The following shall also apply:

001.01 The request for transfer includes a written agreement between the existing and proposed new permittee containing a specific date for transfer of permit responsibility, coverage, and liability between them, and is received at least 90 days before the proposed transfer;

001.02 The request for transfer specifies the method by which the proposed new transferee shall meet the financial responsibility requirements of Chapter 13 of this Title;

001.03 The Director re-examines the amount constituting financial responsibility in view of the change of circumstances arising from the proposed transfer and requires compliance with modifications in the amount and/or form of financial responsibility as a condition to granting the requested transfer;

001.04 The proposed new permittee furnishes to the Director the information required in Chapter 11, Sections 006.05 and 006.06 of this Title; and

001.05 Transfer shall be effectuated by modification of the permit to reflect the new permittee including any changes made by the Director in light of Sections 001.01 through 001.04 in this Chapter.

002 Class V wells authorized or permitted may be transferred if:

002.01 The current permittee notifies the Director at least 30 days in advance of the proposed transfer date and provides the information required in Section 002.02 of this Chapter;

002.02 The notice includes a written agreement between the existing and new permittee containing a specific date for transfer of permit responsibility, coverage, and liability between them and the notice demonstrates that the financial responsibility requirements will be met by the new permittee.

Enabling Legislation: Neb. Rev. Stat. §§ 81-1504(2)(11)(13)(20); 81-1505(9);

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